

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3053
)	
v.)	
)	
CHIENT HUNG NGUYEN, AARON)	MEMORANDUM AND ORDER
WILLIAM POLK,)	
)	
Defendants.)	

The defendants have moved for a 60-day continuance of the pretrial motion deadline currently set for September 20, 2010. Filing Nos. 46 and 47. The defendants' motions explain discovery is still being received and reviewed, the discovery materials are extensive, and the defendants and their counsel need additional time to review the discovery and determine whether and what pretrial motions should be filed. The government does not oppose the requested continuance. The court finds the motions to continue should be granted.

IT IS ORDERED:

- 1) The defendants' unopposed motions to continue, (filing nos. 46 and 47), are granted and the defendants' pretrial motions and briefs shall be filed on or before November 19, 2010.
- 2) The ends of justice will be served by granting defendants' motions to continue the pretrial motion deadline, and outweigh the interests of the public and the defendants in a speedy trial, and the additional time arising as a result of the granting of the motions, the time between today's date and November 19, 2010, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

September 20, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge